IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO.299 OF 2007
IN
WRIT PETITION NO.7675 OF 2005

Kavita Chandraprakash Goel ..Petitioner.
Vs.
The State of Maharashtra & Ors. ..Respondents.

Mr.R.K.Mendadkar, adv. for the Petitioner.
Mr.D.A.Patil, A.G.P. for the Respondent Nos.1 to 3.

CORAM : J.H.BHATIA, J.
DATE : NOVEMBER 27, 2007.

P.C.:

1. Heard the learned counsel for the petitioner and the learned A.G.P. for the respondent nos.1 to 3. None for the respondent no.4 though served.

2. Petitioner is a student of the respondent no.4-College and prosecuting the studies for B.Tech (Final). Her caste claim is pending before the Caste Scrutiny Committee for verification. As per the order dated 9th January, 2006 in Writ Petition No.7675 of 2005, Division Bench of this Court had directed the respondent no.2 to dispose off the petitioner's caste claim within a period of eight weeks. In the meantime, the petitioner was allowed to prosecute the studies. According to the petitioner till this date, the respondent no.2 has not disposed off her caste claim

and the respondent no.4 has issued a letter dated 14th August, 2007 wherein it stated that the petitioner is not permitted to sit in the final year B.Tech. (CST) examination till the caste validity certificate is submitted to the institute. The learned A.G.P. makes a statement that the caste claim could not be disposed off by the respondent no.2 because the Vigilance Committee has not submitted its enquiry report. From this it is clear that the delay in disposal of the caste claim of the petitioner is not on account of any fault on part of the petitioner. The only prayer in the present matter is to allow the petitioner to appear for the examination. The learned A.G.P. has no objection to the same.

3. Taking into consideration the circumstances in my opinion, the petitioner may be allowed to appear for final year examination of B.Tech.(CST) subject to the result of her caste claim. No further action to be taken in this Contempt Petition.

4. Respondent No.4 is hereby directed to allow the petitioner to appear for 7th Semester of Final Year B.Tech. (CST) subject to the result of her caste claim. Respondent no.2 is hereby directed to expedite the matter and dispose off the caste claim of the petitioner within six weeks.

5. With aforesaid directions, Contempt Petition stands disposed off.

6. Parties to act on an authenticated copy of this order.

[J.H.BHATIA, J.]